

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL A. SMITH,

Defendant.

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8:12CR252

ORDER

This matter is before the court on defendant's MOTION TO EXTEND THE TIME IN WHICH TO FILE PRETRIAL MOTIONS [14]. For good cause shown, I find that the motion should be granted. The defendant will be given an approximate 7-day extension. Pretrial Motions shall be filed by October 16, 2012.

**IT IS ORDERED:**

1. Defendant's MOTION TO EXTEND THE TIME IN WHICH TO FIE PRETRIAL MOTIONS [14] is granted. Pretrial motions shall be filed on or before **October 16, 2012**.
2. The defendant is ordered to file a waiver of speedy trial as soon as practicable.
3. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **the time between October 9, 2012 and October 16, 2012**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel required additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

**DATED this 10<sup>th</sup> day of October, 2012.**

**BY THE COURT:**

**s/ F.A. Gossett  
United States Magistrate Judge**